

Montana Department of Natural Resources and Conservation  
Water Resources Division  
Water Rights Bureau

**ENVIRONMENTAL ASSESSMENT**  
**For Routine Actions with Limited Environmental Impact**

**Part I. Proposed Action Description**

1. Applicant/Contact name and address: **Fergus County Conservation District  
211 McKinley, Suite 3  
Lewistown, MT 59457**
2. Type of action: **Application to Change Water Reservation No. 41S 30109080**
3. Water source name: **East Fork Big Spring Creek**
4. Location affected by project: **The project is located in Fergus County southeast of Lewistown, Montana**
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

**This application is to change a point of diversion and place of use of Fergus County Conservation District (CD) Water Reservation No. 41S 73199. A maximum flow rate of 246.8 gallons per minute (GPM) up to 64.0 acre-feet (AF) of the Fergus County CD water reservation will be put to use for center pivot irrigation on 38 acres in the NW1/4 Section 33, T15N, R19E, Fergus County. The source is East Fork Big Spring Creek. The CD granted the producer (Kevan Comes) a right to use a portion of its water reservation on August 10, 2016 under CD Authorization No. FE-1-15.**

6. Agencies consulted during preparation of the Environmental Assessment:  
(include agencies with overlapping jurisdiction)

**Dept. of Environmental Quality Website – Clean Water Act Information Center  
MT. National Heritage Program Website - Species of Concern  
USDI Fish & Wildlife Service Website - Endangered and Threatened Species  
MT State Historic Preservation Office - Archeological/Historical Sites  
USDA Natural Resources Conservation Service – Web Soil Survey  
USDI Fish & Wildlife Service – Wetlands Online Mapper**

**Part II. Environmental Review**

1. **Environmental Impact Checklist:**

**PHYSICAL ENVIRONMENT**

## **WATER QUANTITY, QUALITY AND DISTRIBUTION**

**Water quantity** - Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.

*Determination:*           **No Significant Impact.**

**East Fork Big Spring Creek does not have any data relating to Dewatered Concern Areas on DFWP website-MFISH. The table below contains information relating to DFWP's Water Reservation. This project uses a portion of the Fergus CD reservation established in 1985 and should not significantly impact water quantity.**

Section: MOUTH to HEADWATERS Type: Water Reservation Granted River Miles: 0 to 24.8			
Begin Date	End Date	Flow (CFS)	Priority Date
01 / 01	12 / 31	7.50	07/01/1985

**Water quality** - Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.

*Determination:*           **No Significant Impact.**

**The DEQ website lists East Fork Big Spring Creek as category 3 - Waters for which there is insufficient data to assess the use support of any applicable beneficial use, so no use support determinations have been made. This project should not negatively impact water quality.**

**Groundwater** - Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.

*Determination:*           **No Significant Impact.**

**The proposed change should not have a significant impact on ground water quality or supply. The proposed place of use may realize an increase in seasonal water table elevations from the proposed pivot irrigation.**

**DIVERSION WORKS** - Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.

*Determination:*           **No impact.**

**The point of diversion for this application will change location to a pump in the NENENW Sec 33, T15N, R19E, Fergus County. No impacts to channel impacts, flow modifications,**

barriers, riparian areas, dams, and well construction are anticipated. The diversion system is in place and has been used for wheel-line irrigation; therefore no further impacts due to diversion works are expected because of this project.

#### **UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES**

***Endangered and threatened species*** - Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any “species of special concern,” or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or “species of special concern.”

**Determination:**           **No Significant Impact.**

The Montana National Heritage Program lists five Species of Concern within Township 15 North, Range 19 East. The common names for the species include the Townsend's Big-eared Bat, Hoary Bat, Little Brown Myotis, and the Veery. The Montana Nation Heritage Program also lists one fish; the Northern Redbelly Dace. No impacts to any of these species are expected with the project; the majority of the project location has previously been disturbed by agricultural practices.

***Wetlands*** - Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.

**Determination:**           **No Significant Impact.**

The National Wetlands Inventory website shows Freshwater Emergent and Riverine Type Wetlands adjacent to the source through a limited portion of the Applicant’s proposed place of use; however the proposed pivot irrigation should not significantly impact the wetlands.

***Ponds*** - For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.

**Determination:**           **No Significant Impact.**

**This project does not involve a pond. No impact to wildlife, waterfowl, or fisheries is anticipated.**

***GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE*** - Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.

**Determination:**           **No Significant Impact.**

The NRCS Web Soil Survey shows the predominant soil unit under the proposed pivot location is the Burnel silty clay loam, 2 to 8 percent slopes. This unit consists of a silty loam

**mix that is well drained. The soil is moderate-highly susceptible to wind erosion; there is a low likelihood of significant impact to soil quality because of this project.**

**VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS** - *Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.*

*Determination:*           **No Significant Impact.**

**The acres under the proposed pivot have been previously disturbed by farming, irrigation, and grazing operations. There is a low likelihood of adversely effecting vegetation as this project is requested to grow forage crops. It is the responsibility of the land owner to control the spread of noxious weeds on their property.**

**AIR QUALITY** - *Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.*

*Determination:*           **No Significant Impact.**

**No impacts to air quality or adverse effects to vegetation are expected as a result of this proposal. The project will use an existing electric driven pump.**

**HISTORICAL AND ARCHEOLOGICAL SITES** - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project if it is on State or Federal Lands. If it is not on State or Federal Lands simply state NA-project not located on State or Federal Lands.*

*Determination:*           **No Significant Impact.**

**Not Applicable – Project not located on State or Federal Lands.**

**DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY** - *Assess any other impacts on environmental resources of land, water and energy not already addressed.*

*Determination:*           **No Significant Impact.**

**No additional impacts are anticipated.**

<b>HUMAN ENVIRONMENT</b>
--------------------------

**LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS** - *Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.*

*Determination:*           **No Significant Impact.**

**No locally adopted environmental plans or goals have been identified.**

**ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES** - Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.

Determination: **No Significant Impact.**

**The proposed action should not negatively impact recreational activities in the area. The project lies on private lands, and access to public lands is restricted to land owner permission.**

**HUMAN HEALTH** - Assess whether the proposed project impacts on human health.

Determination: **No Significant Impact.**

**No impacts to human health have been identified.**

**PRIVATE PROPERTY** - Assess whether there are any government regulatory impacts on private property rights.

Yes\_\_\_ No **X**\_\_\_ If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.

Determination: **No known impacts.**

**OTHER HUMAN ENVIRONMENTAL ISSUES** - For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.

Impacts on:

- (a) Cultural uniqueness and diversity? **None**
- (b) Local and state tax base and tax revenues? **None**
- (c) Existing land uses? **Proposed pivot irrigation.**
- (d) Quantity and distribution of employment? **None**
- (e) Distribution and density of population and housing? **None**
- (f) Demands for government services? **None**
- (g) Industrial and commercial activity? **None**
- (h) Utilities? **Electrical consumption increase from pivot operation**
- (i) Transportation? **None**
- (j) Safety? **None**
- (k) Other appropriate social and economic circumstances? **None**

2. *Secondary and cumulative impacts on the physical environment and human population:*

Secondary Impacts – **No secondary impacts have been identified.**

Cumulative Impacts – **No cumulative impacts have been identified.**

3. *Describe any mitigation/stipulation measures:*

**No mitigation or stipulation measures have been identified by the Applicant. The Department may impose a measurement condition to ensure required criteria are met.**

4. *Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:*

**No action alternative: Deny the application. This alternative would result in no change to the existing water rights for irrigation.**

### *PART III. Conclusion*

1. ***Preferred Alternative***

The preferred alternative is the proposed alternative.

2 ***Comments and Responses***

None Received.

3. ***Finding:***

Yes\_\_\_ No **X** *Based on the significance criteria evaluated in this EA, is an EIS required?*

*If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:*

**None of the identified impacts for any of the alternatives are significant as defined in ARM 36.2.524.**

*Name of person(s) responsible for preparation of EA:*

*Name:* Mike Everett

*Title:* Water Resources Specialist – LRO

*Date:* 1/19/2017